

Agenda For Interview For U.S. Patent Appln. No. 09/961,131

Ex. Cam Y. Truong, GAU 2162, June 4, 2008, 2:00 PM

❖ Information Disclosure Statements

- Multiple IDS's were filed in the present application in order to cross-cite references from the related cases in the same patent family (i.e., continuations, CiP's, and divisionals).
- All of the submitted IDS's are in compliance with 37 CFR §§1.97 and 1.98.
- Applicants would be happy to schedule another interview with the Examiner to explain the claimed invention in order to make it easier for the Examiner to review the prior art.
- Applicants respectfully request that the Examiner return copies of the submitted SB-08 and 1449 forms with all of the references initiated.
- "In nonprovisional applications filed under 35 U.S.C. 111(a), applicants and other individuals substantively involved with the preparation and/or prosecution of the application have a duty to submit to the Office information which is material to patentability as defined in 37 CFR 1.56. The provisions of 37 CFR 1.97 and 37 CFR 1.98 provide a mechanism by which patent applicants may comply with the duty of disclosure provided in 37 CFR 1.56. Applicants and other individuals substantively involved with the preparation and/or prosecution of the patent application also may want the Office to consider information for a variety of other reasons: e.g., to make sure that the examiner has an opportunity to consider the same information that was considered by these individuals, or by another patent office in a counterpart or related patent application filed in another country." M.P.E.P. § 609.
- "Once the minimum requirements of 37 CFR 1.97 and 37 CFR 1.98 are met, the examiner has an obligation to consider the information. There is no requirement that the information must be prior art references in order to be considered by the examiner. Consideration by the examiner of the information submitted in an IDS means nothing more than considering the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search." M.P.E.P. § 609.
- "Multiple information disclosure statements may be filed in a single application, and they will be considered, provided each is in compliance with the appropriate requirements of 37 CFR 1.97 and 37 CFR 1.98." M.P.E.P. § 609.

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❖ Rejections Under 35 U.S.C. 101

- Applicants propose to amend the claims as follows: "computer-readable medium storing ~~containing~~ computer executable instructions."

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